IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2244 OF 2004

Ramzan Allauddin.....Petitioner
Vs.
The State of Maharashtra & Anr..Respondents

Mr. A.M.Saraogi, for the Petitioner.
Mr. A.Sayed, AGP for Respondent No.1.
Ms. A.K. Savla, for Respondent No.2.

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 23rd March, 2005

P.C.

. Civil Suit is pending before the City Civil Court where the parties to the petition are also parties. Apart from that in the affidavit dated 11th October, 2004 in para.10 on behalf of the Respondent Corporation it is pointed out that the unauthorised construction has been demolished. The petitioner denies the same. Considering the above it will be open to the petitioner to move the learned Judge of the City Civil Court to appoint a Commissioner to carry out site inspection.

. With the above observation petition disposed of. No order as to costs.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)